

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff

5 v.

6 LAWRENCE J. SEMENZA II, et al.,

7 Defendants

Case No.: 2:22-cv-02059-APG-DJA

**Order Accepting Report and
Recommendation**

[ECF Nos. 52, 74]

9 On December 19, 2024, Magistrate Judge Albregts recommended that I grant in part
10 plaintiff United States of America's motion for sanctions. ECF Nos. 52; 74. Specifically, Judge
11 Albregts recommended that I grant the motion and impose the sanction of a jury instruction that
12 defendant Romie Semenza destroyed the ledger with which she recorded certain transfers of
13 inheritance money to defendant Philippe Schaad and that the ledger may have been unfavorable
14 to the defendants. ECF No. 74 at 7. Judge Albregts recommended that I deny the motion in all
15 other respects. *Id.*

16 No party objected to Judge Albregts' recommendation. Thus, I am not obligated to
17 conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring
18 district courts to "make a de novo determination of those portions of the report or specified
19 proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114,
20 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings
21 and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

22 I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation
23 **(ECF No. 74) is accepted** and plaintiff United States of America's motion for sanctions **(ECF**

1 **No. 52) is granted in part and denied in part** as set forth in this order and in Judge Albregts'
2 report and recommendation.

3 DATED this 7th day of January, 2025.

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6 ANDREW P. GORDON
7 CHIEF UNITED STATES DISTRICT JUDGE
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